In the High Court of Judicature at Madras

Dated:18.09.2006

Coram:

The Hon'ble Mr. Justice P. SATHASIVAM
and
The Hon'ble Mr. Justice S. TAMILVANAN

Habeas Corpus Petition No.847 of 2006

B. Chandrasekar .. Petitioner

vs.

1. Murugesan
2. Manohara
3. Arul Jothi Murugan

4. State rep. by
   Inspector of Police
   Velachery Police Station
   Chennai.

5. The Assistant Commissioner of Police
   Guindy, Chennai. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of writ of habeas corpus as stated therein.

For petitioner : Mr. V. Babu

For respondents 4 and 5 : Mr. M. Babu Muthu Meeran
Addl. Public Prosecutor

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ORDER

(Order of the Court was made by P. SATHASIVAM,J.)

The petitioner, B. Chandrasekar has filed this petition seeking direction to the respondents for production of his wife Geetha before this Court and set her at liberty by handing over to him.

2. Pursuant to the direction of this Court, the detenue by

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name Geetha appeared before us. According to her, she is aged about 19 years, major, her date of birth being 05.06.1988 and studying Second Year B.E., in Thangavel Engineering College, Old Mahabalipuram Road, Chennai. She further informed us that on 13.07.2006, she married the petitioner, B. Chandrasekar at Subramaniam Temple, Teynampet, Chennai. The marriage registration certificate is available at page 2 of the typed set of papers filed by the petitioner.

3. We also enquired the petitioner B. Chandrasekar, who is aged about 26 years. According to him, he is working as a Supervisor in Apollo Groups. He also corroborate about the marriage between him and the detenue that took place on 13.07.2006.

4. Respondents 1 and 2, parents of the detenue were also present. We enquired them. Though they are not willing to recognise the marriage of their daughter with the petitioner, in view of the assertion and statement of the detenue, who being a major and of the fact that there is a proof for the marriage between the petitioner and the detenue on 13.07.2006, we are inclined to accept the statement of the detenue. She is free to decide her future and set at liberty. In view of her wish, she is permitted to go along with the petitioner. We are not expressing anything on the merits of the complaint made by the respective parties.

With the above observation, this petition is ordered.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Inspector of Police
   Velachery Police Station
   Chennai.

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2. The Assistant Commissioner of Police
   Guindy, Chennai.

3.The Public Prosecutor, High Court, Chennai.

+1cc to Mr.V.Babu, Advocate Sr 43906

JP (CO)
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